IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

OP.No. 10168 of 2003(I)

PETITIONER:

KUTTIYAMMA, W/O.VARGHESE, MANKOZHA,
CHETTIYAMPARAMBU P.O., KELAKAM.
WORKER AROLAM FARM AROLAM FARM P.O
KANNUR (NOW TERMINATED)

BY ADV. SRI.M.THAMBAN
SMT.T.SUDHAMANI

RESPONDENTS:

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1. THE DIRECTOR,
CENTRAL STATE FARM AROLAM,
AROLAM FARM.P.O., KANNUR.

2. THE MANAGING DIRECTOR,
STATE FARM CORPORATION OF INDIA,
FARM BHAVAN 14-15, NEHRU PALACE,
NEW DELHI.

BY ADV. SRI.U.K.RAMAKRISHNAN
SRI.E.K.MADHAVAN
SRI.P.V.LOHITHAKSHAN
SRI.V.KRISHNA MENON
BY GOVERNMENT PLEADER SMT. LATHA THANKAPPAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.17568/2003 IN OP. NO.10168/2003

DISMISSED

26.02.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE COMPLAINT FILED BEFORE THE CONSUMER REDRESSAL FORUM DT.19.4.01.

EXT.P2:- COPY OF THE NOTICE DT.21.6.2000 TO THE PETITIONER.

EXT.P3:- COPY OF THE ORDER DT.3.8.2000 TO THE PETITIONER

EXT.P4:- COPY OF THE REPRESENTATION DT.11.4.01 SUBMITTED BY PETITIONER.

EXT.P5:- COPY OF THE REPLY NOTICE DT. 26.4.02 ISSUED TO PETITIONER.

/TRUE COPY/

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KURIAN JOSEPH, J.

O.P.No.10168 of 2003

Dated 26th February, 2007.

J U D G M E N T

The essential grievance of the petitioner is that she is not granted the benefits in respect of the 20 years service she rendered under the respondent Corporation. Learned Standing Counsel for the Corporation, referring to the counter affidavit submits that for unauthorised absence, she had already been removed from service and she had received all the eligible benefits. Petitioner submits that the absence was due to circumstances beyond her control and hence she may be granted at least the pension, since the termination is not on account of any grave misconduct. Learned counsel for the petitioner seeks permission to move the Government. After having heard the learned counsel for the petitioner and the respondents, I am of the view that in the interests of equity and justice, the petitioner has to be permitted to move the Government. In the event of the petitioner approaching the Government within two months from today, the matter will be duly considered by the Government and appropriate orders in accordance with law will be passed with

notice to the petitioner, within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No.10168 of 2003 (I)

J U D G M E N T

Dated 26th February, 2007.